

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

SCOTT WEAVER, individually and on
behalf of all others similarly situated,

PLAINTIFF,

v.

CHAMPION PETFOODS USA, INC. and
CHAMPION PETFOODS LP,

DEFENDANTS

Case No. 2:18-cv-01996-JPS

**DECLARATION OF REBECCA PETERSON IN SUPPORT OF
PLAINTIFF'S MOTION FOR CLASS CERTIFICATION**

I, Rebecca A. Peterson, declare the following:

1. I am an attorney at the law firm of Lockridge Grindal Nauen P.L.L.P. I represent Plaintiff in this matter and submit this Declaration in support of Plaintiff's Motion for Class Certification. This Declaration is based on my personal knowledge and review of my files.

2. Attached as **Exhibit 1** is a true and correct copy of the Report of Dr. Jon A. Krosnick.

3. Attached as **Exhibit 2** is a true and correct copy of relevant excerpts from a Champion Pet Foods Presentation (Bates numbered CPF1165408). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

4. Attached as **Exhibit 3** is a true and correct copy of relevant excerpts from a Champion Petfoods Management Presentation (Bates numbered CPF1973651). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

5. Attached as **Exhibit 4** is a true and correct copy of e-mails between Vanessa Neito and Chris Milam on May 24, 2017 (Bates numbered CPF1803444).

6. Attached as **Exhibit 5** is a true and correct copy of e-mails between Sarah Brown and Jeff Johnston on March 15, 2011 (Bates numbered CPF0060142).

7. Attached as **Exhibit 6** is a true and correct copy of excerpts from a Sales & Marketing Meeting, Summit Readiness 2017-2018 (Bates numbered CPF0190864). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

8. Attached as **Exhibit 7** is a true and correct copy of a document titled Audience Research (Bates numbered CPF0221173). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

9. Attached as **Exhibit 8** is a true and correct copy of relevant excerpts of the transcript of the June 12, 2019, Videotaped Deposition of Scott Weaver.

10. Attached as **Exhibit 9** is a true and correct copy of a Project Application Form (Bates numbered CPF0089958). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

11. Attached as **Exhibit 10** is a true and correct copy of a February 25, 2018 QA Floor Shift Report (Bates numbered CPF1770001).

12. Attached as **Exhibit 11** is a true and correct copy of a November 12, 2017 QA Floor Shift Report (Bates numbered CPF2062755).

13. Attached as **Exhibit 12** is a true and correct copy of Attribute Values and Their Relationships (Bates numbered CPF1762571).

14. Attached as **Exhibit 13** is a true and correct copy of e-mail exchanges between Chris Milam and Christie CC in January and February 2018 (Bates numbered CPF1826327).

15. Attached as **Exhibit 14** is a true and correct copy of relevant excerpts from the November 28, 2018, Videotaped Deposition of Personal & 30(b)(6) Designee Christopher Milam.

16. Attached as **Exhibit 15** is a true and correct copy of relevant excerpts of a Champion document listing country of origin (Bates numbered CPF0050936).

17. Attached as **Exhibit 16** is a true and correct copy of e-mails between Chris Milam and Bonnie Gerow dated August 29, 2016 (Bates numbered CPF0244035).

18. Attached as **Exhibit 17** is a true and correct copy of a Trading Agreement (Bates numbered CPF1710466). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

19. Attached as **Exhibit 18** is a true and correct copy of an Orijen Product Concept Document for Freeze-Dry Food, Dogstar (Bates numbered CPF2088727). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

20. Attached as **Exhibit 19** is a true and correct copy of Acana Regionals, Five Year Plan (Bates numbered CPF0220192). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

21. Attached as **Exhibit 20** is a true and correct copy of the White Paper regarding Heavy Metals and Pet Food, Orijen and Acana Foods in Comparison to Pet Food Safety Standards (Bates numbered CPF0191844).

22. Attached as **Exhibit 21** is a true and correct copy of e-mails between Frank Burdzy and Jeff Johnston in October 2013 (Bates numbered CPF1295272).

23. Attached as **Exhibit 22** is a true and correct copy of e-mails between Sarah Brown and Felix Lau in April 2017 (Bates numbered CPF0172530).

24. Attached as **Exhibit 23** is a true and correct copy of relevant excerpts from the transcript of the April 9, 2019, Deposition of Tjaart Andries Minnaar.

25. Attached as **Exhibit 24** is a true and correct copy of a BPA Statement to Champion Petfoods LP (Bates numbered CPF0143720).

26. Attached as **Exhibit 25** is a true and correct copy of e-mails between Bonnie CC and Chinedu Ogbonna on February 24, 2017 (Bates numbered CPF1748144).

27. Attached as **Exhibit 26** is a true and correct copy of a Champion Petfoods Supplier Audit For Certified Approval form (Bates numbered CPF2117191).

28. Attached as **Exhibit 27** is a true and correct copy of the bag label for Orijen Regional Red Biologically Appropriate Dog Food (Bates numbered CPF0001957).

29. Attached as **Exhibit 28** is a true and correct copy of the bag label for Acana Duck and Pear Singles Formula (Bates numbered CPF0001874).

30. Attached as **Exhibit 29** is a true and correct copy of relevant excerpts from the transcript of the December 4, 2018, Videotaped Deposition Personal & 30(b)(6) of Peter Muhlenfield.

31. Attached as **Exhibit 30** is a true and correct copy of relevant excerpts from the transcript of the December 5, 2018, Videotaped Deposition of 30(b)(6) and 30(b)(1) Designee Sarah Brown-Tarry.

32. Attached as **Exhibit 31** is a true and correct copy of e-mails Bonnie CC and Christine Pendlebury in April and May 2013 (Bates numbered CPF0066047).

33. Attached as **Exhibit 32** is a true and correct copy of e-mails between Gayan Hettiarachchi and Bonnie CC on May 17, 2017 (Bates numbered CPF0210007).

34. Attached as **Exhibit 33** is a true and correct copy of e-mails between Bonnie CC, Nikole Bordato, Gayan Hettiarachchi, Linda Yip, Liz Hulley, Marjorie Henderson, and Brent Kossey in May-June 2017 (Bates numbered CPF0211931).

35. Attached as **Exhibit 34** is a true and correct copy of an e-mail from Calvin Ho to Jessica Mercredi and others dated November 20, 2017 (Bates numbered CPF1817671).

36. Attached as **Exhibit 35** is a true and correct copy of relevant excerpts from the transcript of the April 3, 2019, Videotaped 30(b)(6) Deposition of Jim Wagner.

37. Attached as **Exhibit 36** is a true and correct copy of the Complaint filed on November 14, 2018, in *Champion Petfoods USA, Inc. v. JBS USA Food Co.*, No. 18-CI-00371 (Ky. Commw. Ct.-Logan Cir. Ct.).

38. Attached as **Exhibit 37** is a true and correct copy of e-mails between Sarah Brown and Jeff Johnston on December 20, 2011 (Bates numbered CPF1287266).

39. Attached as **Exhibit 38** is a true and correct copy of relevant excerpts from the May 8, 2019, Videotaped Deposition of Jon A. Krosnick.

40. Attached as **Exhibit 39** is a true and correct copy of Declaration of Colin B. Weir.

41. Attached as **Exhibit 40** is a true and correct copy of the bag label for Acana Heritage Free-Run Poultry Formula (Bates numbered CPF0002832).

42. Attached as **Exhibit 41** is a true and correct copy the bag label for Acana Hermitage Meats Formula (Bates numbered CPF0001872).

43. Attached as **Exhibit 42** is a true and correct copy of a bag label for Orijen Six Fish Dog Food (Bates numbered CPF0001967).

44. Attached as **Exhibit 43** is a true and correct copy of a bag label for Orijen Original Dog Food (Bates numbered CPF0001969).

45. Attached as **Exhibit 44** is a true and correct copy of relevant excerpts from U.S. Dog Pet Food Survey by Brand Finance and Leger for Champion Petfoods (Bates numbered CPF0145434).

46. Attached as **Exhibit 45** is a true and correct copy of Orijen: Five Year Plan by Champion Petfoods (Bates numbered CPF0220182). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

47. Attached as **Exhibit 46** is a true and correct copy of a USA and German Retailer brand research by Brand Finance and Leger for Champion Petfoods (Bates numbered CPF0145738).

48. Attached as **Exhibit 47** is a true and correct copy of relevant excerpts of a Customer and Brand Study (Bates numbered CPF2119446). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

49. Attached as **Exhibit 48** is a true and correct copy of a QA Floor Shift Report (Bates numbered CPF2056512).

50. Attached as **Exhibit 49** is a true and correct copy of a Laboratory Shift Report (Bates numbered CPF1717808).

51. Attached as **Exhibit 50** is a true and correct copy of e-mails between Jonathan Ellison and Kyle Roguski dated November 30, 2016 (Bates numbered CPF1739610).

52. Attached as **Exhibit 51** is a true and correct copy of e-mails between Janelle Kelly, Chinedu Ogbonna, Amanda Flowers, Andrew Stovall, and Matthew Kirk in December 2016 (Bates numbered CPF1789156).

53. Attached as **Exhibit 52** is a true and correct copy of a spreadsheet with supplier locations and contact information and audit schedule and information (Bates numbered CPF2117188). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

54. Attached as **Exhibit 53** is a true and correct copy of a Certificate for Inedible Meat Products to Canada from New Zealand and Certificate of Origin (Bates numbered CPF2111520).

55. Attached as **Exhibit 54** is a true and correct copy of export and shipping documents for inedible meat from Australia and New Zealand to Canada (Bates numbered CPF1948871).

56. Attached as **Exhibit 55** is a true and correct copy of an NCR Tracking Report (Bates numbered CPF1180627).

57. Attached as **Exhibit 56** is a true and correct copy of White Paper regarding Heavy Metals and Pet Food, Orijen and Acana Foods in Comparison to Pet Food Safety Standards (Bates numbered CPF1984403).

58. Attached as **Exhibit 57** is a true and correct copy of a Eurofins Scientific, Inc. Certificate of Analysis (Bates numbered CPF2058413).

59. Attached as **Exhibit 58** is a true and correct copy of a Eurofins Scientific, Inc. Certificate of Analysis (Bates numbered CPF2058407).

60. Attached as **Exhibit 59** is a true and correct copy of a Beef Fat Issue Summary (Bates numbered CPF2118689).

61. Attached as **Exhibit 60** is a true and correct copy of a Beef Fat Executive Summary (Bates numbered CPF2118826).

62. Attached as **Exhibit 61** is a true and correct copy of a letter from the Pennsylvania Department of Agriculture, Bureau of Plant Industry to Champion Petfood USA Inc. dated May 7, 2018 (Bates numbered CPF2120192).

63. Attached as **Exhibit 62** is a true and correct copy of e-mails between John Frirott, Chinedu Ogbonna, Sherry Sanderson, and Vincent Biourge (Bates numbered CPF1345402).

64. Attached as **Exhibit 63** is a true and correct copy of Taurine Deficiency Induced Dilated Cardiomyopathy in Golden Retrievers by Veterinary Cardiology Specialists (Bates numbered CPF1813273).

65. Attached as **Exhibit 64** is a true and correct copy of e-mails between Peter Muhlenfeld, Jeff Johnston, and Barbara Fougere in October 2008 (Bates numbered CPF1827829).

66. Attached as **Exhibit 65** is a true and correct copy of Champion Petfoods' One Page Plan 2015-2017 (Bates numbered CPF0092151). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

67. Attached as **Exhibit 66** is a true and correct copy of the FDA Establishment Inspection Report of Champion Petfoods USA, Inc.

68. Attached as **Exhibit 67** is a true and correct copy of the January Survey Report (Bates numbered CPF0145134).

69. Attached as **Exhibit 68** is a true and correct copy of a e-mail from Bonnie to Cecilia dated June 28, 2016 (Bates numbered CPF0102704).

70. Attached as **Exhibit 69** is a true and correct copy of e-mails between Christie CC and Debra Gottleaber in July 2017 (Bates numbered CPF2083798).

71. Attached as **Exhibit 70** is a true and correct copy of a e-mail from Bonnie to Karen dated August 14, 2015 (Bates numbered CPF0092456).

72. Attached as **Exhibit 71** is a true and correct copy of e-mails between Mike Rother and Bonnie Gerow in November-December 2010 (Bates numbered CPF0059711).

73. Attached as **Exhibit 72** is a true and correct copy of relevant excerpts from Champion Petfoods: Introduction to Champion, BAFRINO Training Module 1 (Bates numbered CPF1872976).

74. Attached as **Exhibit 73** is a true and correct copy of e-mails between Bonnie CC, Peter Muhlenfeld, David Marshall, Jeff Johnston, and Nitasha Happy in April 2014 (Bates numbered CPF0071711).

75. Attached as **Exhibit 74** is a true and correct copy of an excerpt from Orijen Digital See Guide (Bates numbered CPF0214757). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

76. Attached as **Exhibit 75** is a true and correct copy of an excerpt from Acana Digital See Guide (Bates numbered CPF0214732). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

77. Attached as **Exhibit 76** is a true and correct copy of 2017-2018 USA Retail Program Guide (Bates numbered CPF1804616).

78. Attached as **Exhibit 77** is a true and correct copy of Customer Care Contact and FAQs (Bates numbered CPF0062104). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

79. Attached as **Exhibits 78-82**, respectively, are the resumes for Lockridge Grindal Nauen P.L.L.P.; Gustafson Gluek, PLLC; Cuneo Gilbert & LaDuka LLP; Robbins Arroyo LLP; and Lite DePalma Greenberg, LLC.

80. Attached as **Exhibit 83** is a true and correct copy of 2018 Product Strategy (Bates numbered CPF0257792). THIS DOCUMENT IS BEING FILED AS RESTRICTED.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 15, 2019.

/s/ *Rebecca A. Peterson*
Rebecca A. Peterson